

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 5/20/2019
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KENJY ORELLANA; NESTOR REYES; RENE :
I. AYALA; ALBERTO RAMON MORALES :
POMBO; CARLOS M. MOROCHO; LUIS :
ZARUMA; MAXIMINO FLORES; JOHN :
DANILO BARAHONA; EDISON CRISTOBAL :
TRIANA PICON; OSWALDO BRAVO; JORGE :
VARGAS; ANGEL REYES; JAIRALI CALLE; :
EDGAR PILAGUICIN; JUAN AMANTA; :
SEGUNDO PINTO; SEGUNDO FRANCISCO :
LASLUIA; JOSE ALBERTO LASLUIA; :
DAVID PAREJA; LUIS ENRIQUE CASTILLO :
RODRIGUEZ; JEFFRY OSMAN BRIZZO :
CACERES; JUNIOR ODAIR MEDRANO; :
EUFEMIO DIAZ MONTENEGRO; JUAN :
ANTONIO RODRIGUEZ DURAN; AUVER :
HOYOS ALTAMIRANO; OLIVERIO :
ANTONIO AYALA; ESDRAS NEHEMIAS :
GUTIERREZ CERRATO; VICTOR MANUEL :
PALACIOS GONZALEZ; SAUL REYES; :
ADRIAN CRESCENCIO; MARCOS :
MERCADO; EDWIN ORLANDO PEREZ :
VELARDE; and JOSE CARLOS LUNA :
BAUTSTA; :

Plaintiffs, :

-against- :

REAL INNOVATIVE CONSTRUCTION, LLC; :
ANDY MORALES; CARLOS MORALES; ECI :
CONTRACTING, LLC d/b/a ECI SERVICES; :
KIERAN KEAVENEY; JACOBS :
DEVELOPMENT CORP.; DANIEL :
JAKUBOWICZ; and T.B.C. GROUP LTD., :

Defendants. :

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VALERIE CAPRONI, United States District Judge:

WHEREAS on November 21, 2018, Defendants Andy Morales, Carlos Morales, and Real Innovative Construction, LLC filed a motion to dismiss this case under Fed. R. Civ. P. 12(b)(6), *see* Dkts. 55-58;

WHEREAS on February 20, 2019, Defendants ECI Contracting, LLC and Kieran Keaveney also filed a motion to dismiss this case under Fed. R. Civ. P. 12(b)(6), *see* Dkts. 74-75; and

WHEREAS on May 17, 2019, Plaintiffs filed an Amended Complaint, *see* Dkt. 89,

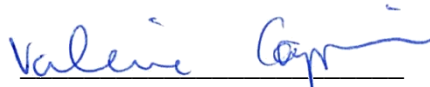
IT IS HEREBY ORDERED that Defendants' motions to dismiss are DENIED as moot under Fed. R. Civ. P. 15(a)(1)(B) and Rule 4(E)(i) of the undersigned's Individual Practices in Civil Cases.

IT IS FURTHER ORDERED that each Defendant must respond to the Amended Complaint—with either an Answer or any appropriate motion—no later than **June 14, 2019**. Should any Defendant file such a motion, Plaintiffs' response to the motion will be due no later than **July 12, 2019**. Any reply in support of the motion will be due no later than **July 26, 2019**.

The Clerk of Court is respectfully directed to terminate the open motions at Dkts. 55 and 74.

SO ORDERED.

Date: May 20, 2019
New York, New York


VALERIE CAPRONI
United States District Judge